1: Coon E-5 (1926-1927) 1931 MX3 Rif MX3

623 692 685

Picking windfall olives. Similarly, the head of each family must pay a quarter of a dollar for each member of his family who starts picking up windfalls before the signal is given.

Theft of olives. The outright theft of olives is punished by a fine of ten dollars.

Trespassing in order to pick grass. If a man catches a woman picking or cutting grass for her cow on his land, he may report her, and her husband will be fined one dollar. But to make such a report is considered mean and few are willing to do so.

Stray goats and cattle in the cemetery. When goats or cattle, either with or without the intention of their guardian, enter a cemetery, their owner is fined a quarter of a dollar for each goat, and a dollar for each bull or cow which entered.

[689]

Repair of irrigation ditches. If any farmer fails to send a man or men to work on a ditch, when he is required to do so, he is fined between two and three dollars per day per man.

Taking water illegally from irrigation ditches. This is considered a serious offense, and although it incurs but a five dollar fine, it always breeds bad feelings and often incites to murder.

[782] 623 692 688

Regulating attendance at prayer. To explain this function it is necessary to anticipate the discussion of religion. Each *bone* in the *canton* is required to send twenty-five men once a week to the common mosque of the *canton* to pray. The village council of each *bone* lists the names of all married men in the *bone*: a day is set for each *bone* to attend the mosque, and the *bone* keeps that day permanently. The first week the first twenty-five men on the list must go, the second week the second twenty-five, and so on until the list has been exhausted, when the procedure starts all over again. If the number of married men in the *bone* is not evenly divisible by twenty-five, those forming the remainder at the foot of the list are supplemented by enough at the head of it to fill the number, and the rotation starts anew. It is the task of the village council in whose territory the cantonal mosque is situated to see that twenty-five men appear from each *bone* on the allotted day. If a *bone* is so small that it does not contain twenty-five, it is combined with another *bone* for this purpose.

If the members of the village council of the mosque territory find that a quota is not full on a certain day, they fine the man who has defaulted five dollars. If this is not paid promptly the council of the great steps in and fines the guilty *bone* between two and three hundred dollars. If a man is away on a journey his name is temporarily stricken from the list and the following names are moved up one place; if he is ill or for some other reason unable to go, he is allowed to send a substitute. If a man falls ill on the way, becomes wounded, or is otherwise prevented from reaching the mosque when it is too late to obtain a substitute, his absence is excused.

The fines thus extracted, the proceeds of which go for the upkeep of the mosque, formerly consisted of walnuts, almonds, figs, or raisins. Later, when sugar was first imported, two sugar cones were assessed. Later still the money fine was introduced.

623 681 651 692

Providing for exiles from other fifths. When a man has been exiled by the tribal council for a year, two years, or more, he must pass to a different *fifth*, preferably to a *bone* in which he has friends. The village council of the *bone* collects an assessed portion of the crops of every farmer and gives it to him. This it does for the first year only. If he remains more than a year he must work as a share-laborer for a farmer and earn his living. If a farmer refuses to give his assessed portion it is taken by force, and twofold. Such refusals are, however, almost unknown.

223 Nests and young birds are not respected, and are taken just as adults are.

224 In the mountains (Jbil) of the Aith Waryaghar, when a hunter (anigmar, pl. inigmarn) going over snow follows the tracks of an animal to a thicket or cave, he walks around it, leaving his footprints and making a circle in order to show that it is his property and that he will explore it on his return. Any other hunter or party respects this. Any animal which falls within the radius of action of the weapon used[68] is the property of whoever killed it.

671 684 b) Personal Law: If a woman accuses someone of dishonest abuse to her person, her testimony is admitted....A woman who is illegally pregnant pays 50 duros from her own property as a fine. If she was forced against her will, and the man who forced her appears, he pays. If she submitted to him willingly, he and she each pay 25 duros[69]. If she has no property, her brothers or male agnates pay[70].

685 695 c) Fine for Theft inside a House: 50 duros. If there is no proof, five adult and trustworthy agnates of the accused must swear to his innocence[71], at least if they have publicly announced in the market not to make themselves jointly liable.

688 793 d) Whoever fails to provide food for the fqih when his turn comes up to do so must pay 2 pesetas[72].

685 231 e) A herdboy who has animals stolen from him while in dhwara[73] must pay for them if he has not seen them stolen. The same holds true for injuries which the animals might suffer....Whoever does not pasture the animals of his jma'th when his turn comes up pays 2 pesetas and one loaf of bread, and has to give a meal to the person who does it for him, or to the jma'th if no one does so.

000 the proportion, in context, of the fines.

671 There are no offenses against the form of government, nor
687 against religion; more aptly put, there is no need to invent such
688 offenses, nor, by the same token, any punishment for them, because
184 all are agreed in such questions: republic and Islam.

184 This unanimity of opinion among the different groups of legis-
614 lators in the diverse clans of the tribe proves to us their (relative)
619 independence, and this is one of the ties which gives the tribe its
671 form.[81] It is clear that if individuals and families respond to a
602 private common law, the associations of these kin groups, the (uni-
linear) principles which link them together, and their common law
could not be very different, given their proximity (i.e. to each other).

671 These qanuns, which are the most outstanding signs of the
614 rudimentary (sic) common or public law of the Rifians, reveal to us
and define better than any other consideration (i.e. aspect of Rifian
life, or institution) the reality and importance of that social unit,
the clan, both a truly independent state and the ancient fatherland
(patria) of the Rifian; and the whole of this, the ensemble[82], explains
the Rifians' capacity for resistance in the struggle against any in-
vader through the multiple compartmented monopolies (i.e. clans), each
of which was opposed to the other, at the same time as it showed im-
potence and weakness to the outside (world).

671 These lay and democratic laws, full of suggestions, show the
619 Rif to be a land of custom, forming, as Montagne shows so clearly for
181 other Berber groups[83], a mosaic of minute independent republics, in
opposition to the Moroccan Empire, with its rigid sharifian organiza-
tion and administrative framework of qa'ids; for the qa'id is, as we